

If, in the opinion of the City Manager, a vacancy in the position could be filled better by an open, competitive examination instead of a closed, promotional examination, the Manager may call for applications for the vacancy and arrange for an open competitive examination, and for the preparation and certification of an eligible list.

Section 12. Employment Lists

Employment lists shall become effective upon approval thereof by the City Manager. Employment lists shall remain in effect for one year, unless sooner exhausted, and may be extended prior to their expiration dates by action of the Personnel Board for additional six-month periods but in no event shall an employment list remain in effect for more than two years.

Original appointments can only be made from the list of eligible candidates on the employment list who are ready and willing to accept the position offered.

The name of any person on an employment list may be removed by the City Manager if the eligible person requests such removal in writing, if the candidate fails to respond to a written offer of employment within five business days next succeeding the mailing of notice, which shall be by registered mail, if a subsequent report of a background investigation shows that the person is unsatisfactory, or if the employee has been rejected for appointment three times. If a candidate indicates a desire not to be considered for appointment or for interview, the City Manager remove the name of the candidate from the employment list.

The names of persons on promotional employment lists who resign from the service may be dropped from such lists.

Section 13. Layoff and Re-employment

Section 13.1 Layoff

Whenever, in the judgment of the City Council, it becomes necessary to abolish positions, the City Council may abolish any position including those set forth in Appendix "A" of this Memorandum of Understanding, and the employee holding such position or employment may be laid off without the right of appeal. The City Manager may likewise lay off regular employees due to lack of work or funds.

In reduction of force, employees with the least length of service in the classification affected shall be laid-off first; provided, however, that any employee so laid off may elect to be reassigned to a directly related classification with an equal salary scale held by an employee with less service with the City if the senior employee is capable by training and experience of performing the work of the position. As used herein, the following groups of classifications shall be the only ones deemed to be directly related: (1) Accounting and Customer Service Representative I, II and III; (2) Maintenance Worker I and II; (3) Assistant Engineer and Associate Engineer; (4) Librarian I, Librarian II, Library Assistant I and Library Assistant II; (5) Administrative Assistant and Secretary.